

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: August 16, 2006 - KL

Division: County Attorney

Bulk Item: Yes xx No

Staff Contact Person: Bob Shillinger x3470

AGENDA ITEM WORDING:

Approval of payment of invoice number 1531413 in the amount of \$25,970.86 from Paul, Hastings, Janofsky for expert witness costs provided by Trent Marr in the matter of *Galleon Bay Corp. v. Monroe County*.

ITEM BACKGROUND:

The County's outside law firm retained Trent Marr of Marr & Associates Appraisal Company, Inc., to provide expert appraisal testimony in the *Galleon Bay* case.

PREVIOUS RELEVANT BOCC ACTION:

None

CONTRACT/AGREEMENT CHANGES:

None

STAFF RECOMMENDATIONS:

Approval

TOTAL COST: \$25,970.86

BUDGETED: Yes xx No

COST TO COUNTY: \$25,970.86

SOURCE OF FUNDS:

REVENUE PRODUCING: Yes No xx

AMOUNT PER MONTH **Year**

APPROVED BY: County Atty OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL:

 8/1/06
SUZANNE A. HUTTON, COUNTY ATTORNEY

DOCUMENTATION: Included xx Not Required

DISPOSITION:

AGENDA ITEM #

PaulHastings

PAUL, HASTINGS, JANOFSKY & WALKER LLP
515 South Flower Street, 25th Floor, Los Angeles, CA 90071-2228
telephone 213-683-6000 / facsimile 213-627-0705 / internet www.paulhastings.com

Atlanta/ Beijing/ Brussels/ Hong Kong/ London/ Los Angeles/ Milan/ New York/ Orange County/
Palo Alto/ Paris/ San Diego/ San Francisco/ Shanghai/ Stamford/ Tokyo/ Washington, D.C.

Monroe County
P.O. Box 1026
Key West, FL 33041-1026

Attn: Suzanne Hutton

July 14, 2006

Please refer to
Invoice Number: 1531413
PHJ&W Tax ID No. 95-2209675

SUMMARY SHEET

Galleon Bay Corp.

PHJ&W LLP File# 58551-00003
Robert H. Freilich

OK
NS3
8/1/6

Costs incurred and advanced

25,970.86

Current Costs Due

\$25,970.86

Note the change in the Wiring Instructions

Wiring Instructions:

Bank of America
ABA # 0260-0959-3
CHIPS Address: 0959
Swift Code: BOFAUS3N
100 West 33rd Street
New York, New York 10001
Account Number: 14599-04796
Account Name: Paul, Hastings, Janofsky & Walker LLP
Comment: Please refer to the invoice number listed above.

Remittance Address:

Paul, Hastings, Janofsky & Walker LLP
515 South Flower Street
25th Floor
Los Angeles, CA 90071-2228

Refer all questions to Carol Brich at (213) 683-5039, or carolbrich@paulhastings.com.

Marr & Associates Appraisal Company, Inc.

Trent Marr, MAI, SRPA
State Certified General Appraiser RZ 514

5307 Pimlico Drive, Tallahassee, FL 32309
Phone /Fax (850) 893-0446

June 15, 2006

Derek Howard
Paul, Hastings, Janofksy, Walker, LLP
875 15th Street, N.W.
Washington, DC 20005

Dear Mr. Howard:

Attached is the invoice, hourly charges and the two main expense items for the Galleon Bay case. I typically charge different fees for depositions and court testimony, however, there were so many hours, I charged my hourly rate throughout the case. If you have any questions regarding my rate, I have enclosed my fee (contract rate) schedule for DEP.

It has been a pleasure working with you.

Sincerely,
Marr & Associates Appraisal Company, Inc.

Trent Marr, MAI, SRPA
State Certified General Appraiser RZ 514

OK
PBS
8/1/6

Marr & Associates

Appraisal Company, Inc.

Trent Marr, MAI, SRPA

State Certified General Appraiser # RZ 514

Phone / Fax (850) 451-6095

5307 Pimlico Drive, Tallahassee, FL 32309

INVOICE FOR APPRAISAL SERVICES

Appraiser TM File Number: C1848, C1849

Date: 6-15-06 Contractors ID Number: 65-0288743

Property Type: Galleon Bay – 13 subdivided lots, zoned CFV

Location: Lower Keys, on No Name Key

Owner: Schlue

Client/Address: Monroe County
 / Derek Howard, Paul Hastings, Janofsky & Walker, LLP
 875 15th Street N.W.
 Washington , DC 20005

Total Due: \$25,970.86 (Refer to attached sheet for hourly charge)

Payment is due upon receipt. Please submit one copy of this invoice with payment

<u>Date</u>	<u>Hours</u>	<u>Description of Work</u>
5-5-06	4	Search Sales of Buildable lots, including plugged canals
5-6-06	4	gather data on sales researched on 5-5-06
5-10-06	5	print, review various email (cases) search sales
5-11-06	5	Various phone calls to appraisers around the state concerning Cobra zones, called USFWS, reviewed cases
5-12-06	5	Search for CFA sales
5-18-06	8	Review paper work from Howard, collect data on CFA sales
5-19-06	11.25	Inspect subject and comps, meet Alecia Putney and stop by planning office in Marathon.
5-20	8.5	Verify sales and write report
5-21-06	13	Finish writing report,
5-22-06	5	Revise site size, Faxes to Holden, look up data on homes built in COBA zone (Tortuga & Bimini Lanes) on No Name Key.
5-23-06	3.25	Read over NAHB brief, discuss appraisal issues with Phil and Lisa, Look up ROGO sales 2000 & CFA sales
5-24-06	2.75	Faxes to Derek, discuss Stickney Case, Change useable area in report, Redo ROGO sales and CFS sales
5-25-06	4	Complete report, review and fed ex
5-26-06	4	review files
5-26-06	1	Gather data on Cooks Island sales
5-27-06	4.5	Review appraisals and case law
5-27-06	1	meet with Derek to discuss depo
5-27-06	4.5	attend deposition
6-5-06	8	Review and organize files, discuss buildings built on No Name in Cobra with Phil, Bob, Derek, Lisa, and John
<u>6-6 via 6-9</u>	<u>34</u>	<u>Attend trial in Key West</u>
Total hours	135.75	
Hourly rate	\$181.25 / hour	
Total	\$24,604.69	
Miscellaneous Charges		
- Hotel Accommodations	\$464.97 (3 nights)	
Airfare	\$901.20	
Total	\$25,970.86	

**FEE SCHEDULE FOR
STATEWIDE APPRAISAL SERVICES
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Contractor Name: Trent Marv

Enter your proposed fee schedule for the calendar years shown below. Fees should be expressed on an hourly basis:

2002: \$ 131.25
2003: \$ 143.75
2004: \$ 156.25
2005: \$ 168.75
2006: \$ 181.25
2007: \$ 193.75

T. D. I. K. E.

Passenger Information

ENT MARR
 Miles Number: *****142

Billing Details**Receipt Information**

Fare Details: TLH DL X/ATL DL EYW312.56Q7MLNBV DL X/ATL DL TLH487.44B3NBV USD
 800.00END ZP TLHATLEYWATL XT US 60.00 ZP 13.20 AY 10.00 XF 18.00 TLH4.5ATL4.5
 EYW4.5ATL4.5

Fare:	800.00 USD	Form of Payment	CA*****0360
Tax:	101.20 XT	FP A/CUSD174.88/US13.12/6X50.00/TL238.00	
Tax:			
Tax:			
Total:	901.20 USD	Org Tkt	00623215382403
		Org FOP	CA*****0360

PENALTY APPLIES

Note: If ticket purchase was by credit card and within 5 days of travel, you must present this card at time of travel. When using certain vouchers to purchase tickets, remaining credits may not be refunded. Additional charges and/or credits may apply and are displayed in the sections below.

This is a special fare ticket. Changing your reservation may result in penalties and increased fare. Always advise your airline or travel agent that you are traveling on a special fare.

Service Charge/Fees

Psgr: TRENT MARR
 Not Transferable

Service Charge/Fee Number: 00621788003034

Retain this receipt for your records. The amount shown below is the total of any nonrefundable service charges or fees paid in conjunction with issuance, exchange or refund of the following tickets/documents, including any direct ticket charge included in the fare you were quoted.

Original Ticket Number: 00623215382403 25MAY06
 New Ticket Number: 00621788003034
 PNR Code: 3JMV6V

Date of Issue: 07JUN06
 Place of Issue: VOBRES
 Issuing Agent ID: DL/PM

ASC/FEES: 50.00 USD
 TOTAL: 50.00 USD

Ticketing Details

Scan this barcode at a Delta Self-Service Kiosk to access your reservation.



TICKET #: 00621788003034
 Issue Date: 06/07/06 Expiration: 05/26/07
 Place of Ticket Issue: VOBRES

6/14/2006

Mary Marr

From: <DeltaElectronicTicketReceipt@delta.com>
To: <MARYMARR@TERRANOVA.NET>
Sent: Wednesday, June 07, 2006 7:56 AM
Attach: Body.html
Subject: TRENT M KEY WEST 09JUN06

**Your Receipt and Itinerary**

(Scan this barcode at a Delta Self-Service Kiosk to access your reservation.)

TRENT MARR
5307 PIMLICO DR
TALLAHASSEE FL 32309

Thank you for choosing Delta. We encourage you to review this information before your trip. If you need to contact Delta or check on your flight information, go to delta.com, call 800-221-1212 or call the number on the back of your SkyMiles® card.

Now, managing your travel plans just got easier. You can exchange, reissue and refund electronic tickets at delta.com. Take control and make changes to your itineraries at delta.com/itineraries.

Speed through the airport. Check-in online for your flight.

**Flight Information**

DELTA CONFIRMATION #: 3JMV6V
TICKET #: 00621788003034

Day	Date	Flight	Status	Bkng Class	City	Time	Meals/ Other	Seat/ Cabin
Fri	09JUN	DELTA 4557*	OK	B	LV KEY WEST	440P		**
					AR ATLANTA	640P		COACH
*Operated by ATLANTIC SOUTHEAST								
Fri	09JUN	DELTA 797	OK	B	LV ATLANTA	750P		**
					AR TALLAHASSEE	851P		COACH

Check your flight information online at delta.com or call the Delta Flightline at 800-325-1989.

Baggage check-in requirements vary by airport. Please review Delta's [Check-in Requirements](#) for details. Please check in with the operating carrier.

You must be checked in and at the gate at least 15 minutes before your scheduled departure time for travel inside the United States.

You must be checked in and at the gate at least 45 minutes before your scheduled departure time for international travel.

Key to Terms
 \$ - Arrival date different than departure date
 ** - Check in required
 *** - Multi meals
 *SS - Multiple seats
 AR - Arrives
 B - Breakfast
 C - Bagels/Beverages
 D - Dinner
 F - Food available for purchase
 L - Lunch
 LV - Departs
 M - Movie
 R - Refreshments - Complimentary
 S - Snack
 T - Cold meal

6/14/2006

LIGHTHOUSE COURT - KEY WEST
902 WHITEHEAD ST. KEY WEST, FL 33040
877-294-9588
lighthousecourt@snappydsl.net
Printed: 6/9/2006 - 9:31am

Page #1

TRENT MARR Guest #33244

KEY LARGO FL 33037

Room: E1 HEMINGWAY SUITE Daily Rate: 139.00 + Tax
Check-in: 06/06/06 4:33pm Out: 06/09/06 9:31am Nights: 3 Guests: 1/0
ID: NO CAR

CHARGES						PAYMENT				Balance
Date	Room	Phone	Misc.	Tax	Total	Credit	Cash	Bill	Total	
06/06/06	139.00	0.00	0.00	15.99	154.99	0.00	0.00	0.00	0.00	154.99
06/07/06	139.00	0.00	0.00	15.99	154.99	0.00	0.00	0.00	0.00	309.98
06/08/06	139.00	0.00	0.00	15.99	154.99	0.00	0.00	0.00	0.00	464.97
06/09/06	0.00	0.00	0.00	0.00	0.00	464.97VM	0.00	0.00	464.97	0.00
TOTAL	417.00	0.00	0.00	47.97	464.97	464.97	0.00	0.00	464.97	0.00

(Taxes - SALES TAX: \$31.28, LODGING TX: \$16.69)

AMOUNT TENDERED : \$464.97 Visa/MC
TOTAL: \$464.97
CHANGE : \$0.00

Check-out time: 11:00am Check-in time: 3:00pm

THANK YOU, COME AGAIN!

Guest Signature: _____

THE MANAGEMENT ASSUMES NO RESPONSIBILITY FOR ACCIDENTS, INJURIES, THEFT OR LOSS DUE TO ANY CAUSE.
THANK YOU FOR STAYING HERE WE HOPE YOU HAVE ENJOYED YOUR STAY. PLEASE CALL AGAIN ANY TIME TO
MAKE RESERVATIONS HERE.

PLEASE RETURN YOUR ROOM KEY TO THE FRONT DESK AT CHECK OUT. A \$10 CHARGE APPLIES TO EACH
NON-RETURNED KEY.

SMOKING IS NOT PERMITTED IN ANY ROOM.

POOL HOURS ARE FROM 8:00 A.M. UNTIL 10:00 P.M.

OFFICE HOURS ARE FROM 7:00 A.M. UNTIL 12:00 A.M. FOR AFTER HOUR EMERGENCIES PLEASE PHONE
305-304-4909.

PLEASE DO NOT USE GLASS OR BOTTLES AROUND THE POOL OR POOL DECK. PLASTIC CUPS ARE AVAILABLE IN THE
BAR, CAFE AND OFFICE.

MOTORIZED VEHICLES (MOPEDS, MOTORCYCLES, ETC.) ARE NOT PERMITTED INSIDE THE GATES OF LIGHTHOUSE
COURT.

DURING SPECIAL EVENTS ALL ROOM CHARGES WILL BE COLLECTED IN ADVANCE AND NO REFUNDS WILL BE GIVEN